

In the Matter of)
)
 MARK F. KROTZ) RM-11760
)
 Petition for proposed changes in 47 CFR Part)
 § 97.25 License term for Amateur Radio)

Released: June 22, 2016

3. *Discussion.* Based on our review of the record, we are not persuaded that the petition discloses sufficient grounds for the requested rule change. Krotz's primary argument is that extending the term of amateur licenses to the lifetime of the holder would reduce the Commission's administrative and personnel costs, but it is not clear to us that the proposal actually would enhance administrative efficiency. The vast majority (approximately 97%, according to a recent review) of amateur license renewal applications are submitted via the Commission's Universal Licensing System (ULS), either by the licensee online or in batch format by the Volunteer Examiner Coordinators. Renewal applications that are filed timely or within the two-year renewal grace period are processed automatically by ULS with minimal staff involvement. In addition, the Commission has further reduced its costs associated with

⁵ See *Consumer & Governmental Affairs Bureau Reference Information Center Petition for Rulemaking Filed*, Public Notice, Report No. 3040, 22 WL 699352 (CGB rel. Feb. 22, 2016).

license renewal by no longer routinely mailing out new license documents.⁶ Conversely, if license terms were extended to the holder's lifetime, we likely would receive more cancellations on account of the licensee's death,⁷ which are labor-intensive because staff must carefully verify the deceased's identity and licenses in order to guard against erroneous cancellations.⁸

4. Krotz also asserts that lifetime licensing would ease licensee's regulatory requirements. We note, however, that the Commission recently reaffirmed⁹ its earlier conclusion¹⁰ that requiring amateur licensees to renew does not impose an unreasonable burden. In that proceeding, the Commission amended the amateur rules to grant partial examination credit for certain expired amateur operator licenses, but declined to extend the validity of a certificate of successful completion of examination to the holder's lifetime.¹¹ The present proposal goes beyond what the Commission rejected. Furthermore, given that the Commission recently eliminated the regulatory fee for vanity licenses, no payment is required to renew any amateur license,¹² so the financial strain on licensees is minimal.

5. One of the reasons that the Commission granted only partial examination credit for expired amateur operator licenses, and still requires former licensees to pass Element 2 in order to be relicensed, was to address the concerns of commenters in that proceeding that a licensee who has not maintained his or her license is less likely to have maintained and expanded his or her knowledge and skills.¹³ Another reason was to discourage attempts by someone with the same name as a former licensee to operate under that person's license.¹⁴ These concerns, also raised by commenters in this proceeding,¹⁵ also weigh against doing away with amateur license renewal.

6. Lastly, Krotz notes that the Commission already issues commercial operator licenses for the holder's lifetime. We agree, however, with the numerous commenters¹⁶ who note that the amateur

⁶ See *Wireless Telecommunications Bureau Implements Enhancements to the Commission's Universal Licensing System and Antenna Structure Registration System and Adopts Final Procedures for Providing Access to Official Electronic Authorizations*, Public Notice, 29 FCC Rcd 15252, 15261 (WTB 2015).

⁷ 47 CFR § 97.31.

⁸ See *Amendment of the Amateur Service Rules Governing Vanity and Club Station Call Signs*, Report and Order, 25 FCC Rcd 16351, 16353, para. 8 (2010).

⁹ See *Amendment of the Amateur Service Rules Governing Qualifying Examination Systems and Other Matters, et al.*, Report and Order, 29 FCC Rcd 6311, 6314, para. 8 (2014) (*2014 Element Credit Report and Order*) (citing *Amendment of the Amateur Service Rules Governing Qualifying Examination Systems and Other Matters, et al.*, Notice of Proposed Rulemaking and Order, 27 FCC Rcd 12582, 12584, para. 6 (2012)).

¹⁰ See *Amendments to the Amateur Service Rules Including Amendments for Examination Credit, Eligibility for a Club Station License, Recognition of the Volunteer Examiner Session Manager, a Special Event Call Sign System, and Self-Assigned Indicator in the Station Identification*, Report and Order, 12 FCC Rcd 3804, 3812, para. 20 (1997) (*1997 Element Credit Report and Order*).

¹¹ See *2014 Element Credit Report and Order*, 29 FCC Rcd at 6316, para. 17.

¹² See *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10279, para. 26 (2015).

¹³ See *2014 Element Credit Report and Order*, 29 FCC Rcd at 6315-16, para. 15.

¹⁴ See *id.* at 6316, para. 15.

¹⁵ See, e.g., David A. Malin, Sr. Comments at 1.

¹⁶ See, e.g., Mike Williams Comments at 1.

radio license is not comparable because it includes not only an operator license but also a station license,¹⁷ and there is no Commission precedent issuing a lifetime station license. Moreover, when the Commission began issuing commercial operator licenses for the lifetime of the holder, it did so primarily to alleviate “the substantial costs of the present procedures in terms of staff resources required in processing renewal applications,”¹⁸ which, as noted above, is no longer the case.¹⁹ Consequently, it does not follow from lifetime licensing of commercial operators that lifetime licensing is appropriate for amateur radio stations.

7. We conclude that the request in the above-captioned petition for rulemaking does not warrant further consideration at this time.

8. Accordingly, IT IS ORDERED, pursuant to sections 4(i) and (j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), 303(r), and section 1.401(e) of the Commission's Rules, 47 CFR § 1.401(e), that the petition for rulemaking filed by Mark F. Krotz, RM-11760, on November 9, 2015, IS DISMISSED.

9. This action is taken under delegated authority pursuant to sections 0.131 and 0.331 of the Commission's rules, 47 CFR §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
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Wireless Telecommunications Bureau

¹⁷ See *1974 Element Credit Report and Order*, 12 FCC Rcd at 3812, para. 20.

¹⁸ See *Requirements for Licensed Operators in Various Radio Services*, Report and Order, 96 F.C.C. 2d 1123, 1139, para. 30 (1984).

¹⁹ Another reason noted by the Commission was to eliminate the need for licensees to pay a renewal fee. See *id.* As noted above, this also is not a consideration with respect to amateur licensing.